

February 25, 2014

**By E-mail and ECF**

Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *Securities and Exchange Commission v. Amerindo Investment Advisors Inc. et al.*; Case No. 05-cv-05231-RJS**

Dear Judge Sullivan:

This letter is in response to the request of Vivian Shevitz by letter dated February 24, 2014 (the "Extension") seeking a two (2) week extension to respond to the Receiver's Amended Motion authorizing the Receiver to remit an interim distribution based upon a modified version of a proposed distribution set forth in the Motion. The Receiver objects to Extension.

The Receiver has confirmed that the SEC staff forwarded via overnight mail two (2) sets of the proofs of claim on February 18, 2014. The Receiver also filed on-line the proofs of claim on February 17, 2014. Ms. Shevitz has had ample time to review the claims and confer with her client(s).

Moreover, Ms. Shevitz was invited by the Receiver several months ago and before the defendants incarceration to come to his offices to review the claims but they refused. This need for more time to review the claims is self-created. The proofs of claim have not changed since the filing of the Motion and the Amended Motion. The Amended Motion only proposes a modification to the distribution methodology already set forth in the Motion.

The investors have been waiting years to receive their funds and an extension at this juncture would be prejudicial to those claimants. Further, this is a proposed interim distribution only.

If the Court is inclined to grant the extension (a) the Receiver respectfully advises that the Receiver will be out of town from March 17 to March 28 and the SEC staff person in charge of this case is away from March 19 to the 21, and (b) Ms. Shevitz be given just a few more days post February 28, 2014 to respond to the Motion/Amended Motion but not change the hearing date of March 14, 2014.

Respectfully submitted,  
Gazes LLC

By: /s/ Ian J. Gazes  
Ian J. Gazes, Receiver

cc: (w/o attachment)

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